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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,349	09/30/2003	William E. Mazzara JR.	GP-304028 2760/134	5776

7590 07/13/2005

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EXAMINER

PHUONG, DAI

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/675,349

Applicant(s)

MAZZARA, WILLIAM E.

Examiner

Dai A. Phuong

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2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 5-10, 12-14 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson et al. (U.S. 6,487,500) in view of Myr (Pub. No: 2001/0029425).

Regarding claim 1, Lemelson et al. disclose method for responding to digital vehicle requests, the method comprising: receiving a voice query by a telematics unit, wherein the telematics unit comprises at least one analog digital converter (col. 21, lines 11-16); converting the voice query to a compressed digital signal (col. 21, lines 11-16); transmitting the signal to a call center node 12 in communication with an information database via a wireless network (fig. 1, col. 21, lines 11-16). But, Lemelson et al. disclose method for responding to digital vehicle requests, the method comprising: parsing the signal at the call center node to determine an inquiry; accessing the information database based on the inquiry; formulating at least one response to the inquiry; transmitting the at least one formulated response in a digital format over the wireless network to the telematics unit; and translating the at least one formulated response to an analog format at the at least one analog digital converter.

In the same field of endeavor, Myr discloses method for responding to digital vehicle requests, the method comprising: parsing the signal at the call center node to determine an inquiry ([0062]. Specifically, Myr discloses on receiving a navigation query (Unit 11) from a GSM Network driver/subscriber for a shortest route to a particular destination); accessing the information database based on the inquiry ([0062]. Specifically, Myr discloses the CTU applies an optimization procedure for computing an optimal route while making use of updated travel times for individual sections of roads) formulating at least one response to the inquiry ([0062]. Specifically, Myr discloses the optimal route is communicated to the MGU (Unit 10) via Internet /WAP protocol); transmitting the at least one formulated response in a digital format over the wireless network to the telematics unit ([0062]. Specifically, Myr discloses the optimal route is communicated to the MGU (Unit 10) via Internet /WAP protocol (Unit 8) and presented to the driver visually on the MGUs monitor (Unit 9) **configuration in digital map format**); and translating the at least one formulated response to an analog format at the at least one analog digital converter ([0062]. Specifically, Myr discloses the optimal route is communicated to the MGU (Unit 10) via Internet /WAP protocol (Unit 8) and presented to the driver visually on the MGUs monitor (Unit 9) configuration in digital map format, and/or **in audio form** through a sequence of voice instructions to GSM mobile clients).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the vehicle control and warning system of Lemelson et al. by specifically including parsing the signal at the call center node to

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determine an inquiry; accessing the information database based on the inquiry; formulating at least one response to the inquiry; transmitting the at least one formulated response in a digital format over the wireless network to the telematics unit; and translating the at least one formulated response to an analog format at the at least one analog digital converter, as taught by Myr, the motivation being in order to provide a real time travel guidance system capable of handling a driver's request for a fastest route to any destination.

Regarding claim 2, the combination of Lemelson et al. and Myr disclose all the limitation in claim 1. Further, Myr discloses the method further comprising: optimizing the telematics unit for transmission of the voice query to a computer call center node ([0112]).

Regarding claim 5, the combination of Lemelson et al. and Myr disclose all the limitation in claim 1. Further, Myr discloses the method further comprising: transmitting the signal to the call center using a packet data connection ([0101]).

Regarding claim 6, the combination of Lemelson et al. and Myr disclose all the limitation in claim 1. Further, Myr disclose the method wherein transmitting the at least one formulated response in a digital format over the wireless network to the telematics unit comprises: transmitting the at least one formulated response in a digital streaming audio format ([0101]. Specifically, Myr discloses the navigation directions will be also be returned via TCP/IP protocol in form of digital map and driving Text/Voice instructions).

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Regarding claim 7, the combination of Lemelson et al. and Myr disclose all the limitation in claim 1. Further, Lemelson et al. disclose the method wherein the analog digital converter further comprises a reversible digital analog converter (col. 21, lines 30-34).

Regarding claim 8, the combination of Lemelson et al. and Myr disclose all the limitation in claim 1. Further, Myr disclose the method wherein transmitting information via the wireless network further comprises transmitting information via an Internet protocol ([0062]).

Regarding claim 9, this claim is rejected for the same reason as set forth in claim 1. However, the system includes the necessary software, hardware, firmware or a combination thereof to accomplish the stated task or functionality.

Regarding claim 10, this claim is rejected for the same reason as set forth in claim 2. However, the system includes the necessary software, hardware, firmware or a combination thereof to accomplish the stated task or functionality.

Regarding claim 12, this claim is rejected for the same reason as set forth in claim 8. However, the system includes the necessary software, hardware, firmware or a combination thereof to accomplish the stated task or functionality.

Regarding claim 13, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 14, this claim is rejected for the same reason as set forth in claim 2.

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Regarding claim 17, this claim is rejected for the same reason as set forth in claim 5.

Regarding claim 18, this claim is rejected for the same reason as set forth in claim 6.

Regarding claim 19, this claim is rejected for the same reason as set forth in claim 7.

Regarding claim 20, this claim is rejected for the same reason as set forth in claim 8.

3. Claims 3 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson et al. (U.S. 6,487,500) in view of Myr (Pub. No: 2001/0029425) and further in view of Gladwin et al. (Pub. No: 2005/0003812).

Regarding claim 3, the combination of Lemelson et al. and Myr disclose all the limitation in claim 2. But, combination of Lemelson et al. and Myr do not disclose the method further comprising: filtering the received voice query before converting it to the digital signal.

In the same field of endeavor, Gladwin et al. disclose the method further comprising: filtering the received voice query before converting it to the digital signal (0370)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the vehicle control and warning system of the

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combination of Lemelson et al. and Myr by specifically including filtering the received voice query before converting it to the digital signal, as taught by Gladwin et al., the motivation being in order to support multi media application features running on the server and wireless device.

Regarding claim 15, this claim is rejected for the same reason as set for in claim 3.

4. Claims 4, 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson et al. (U.S. 6,487,500) in view of Myr (Pub. No: 2001/0029425) and further in view of Chan (U.S. 6,904,270).

Regarding claim 4, the combination of Lemelson et al. and Myr disclose all the limitation in claim 2. But, combination of Lemelson et al. and Myr do not disclose the method further comprising: compressing the voice query digital signal at the telematics unit.

In the same field of endeavor, Chan discloses the method further comprising: compressing the voice query digital signal at the telematics unit (col. 5, lines 4-17).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the vehicle control and warning system of the combination of Lemelson et al. and Myr by specifically including compressing the voice query digital signal at the telematics unit, as taught by Chan, the motivation being in order to reduce the bandwidth demand.

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Regarding claim 11, this claim is rejected for the same reason as set for in claim

4. However, the system includes the necessary software, hardware, firmware or a combination thereof to accomplish the stated task or functionality.

Regarding claim 16, this claim is rejected for the same reason as set for in claim

4.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Harvey et al. (U.S. 6611739) remote bus diagnostic and control

Howell et al. (Pub. No: 20020115436) telematics system

Cohen et al. (U.S. 6741921) multi stage truck assignment system

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dai Phuong
AU: 2685
Date: 07-07-2005


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